

REMARKS

Claims 1-6 are pending in this application, claim 5 having been withdrawn. By this Amendment, claims 1 and 4 are amended. Support for the amendments to claims 1 and 4 can be found in the specification, for example, at page 5, lines 15-21 and Fig. 2. No new matter is added.

Claims 1-4 and 6 are rejected under 35 U.S.C. §102(b) or §103(a) over Okamoto et al. (JP 2002-009484). The rejection is respectfully traversed.

Okamoto does not teach every claimed feature of independent claims 1 and 4. Okamoto does not teach or render obvious (a) "a front surface not contiguous with the transparent base sheet and side surfaces of the lines of the mesh metal film are coated with a black coating layer formed by a blacking treatment . . . the black coating layer has a reflection Y value greater than 0 and not greater than 20;" and (b) "a back surface contiguous with the transparent base sheet of the lines being uncoated with the black coating layer formed by the blacking treatment," as recited in independent claim 1 and as similarly recited in independent claim 4 (emphasis added).

The Office Action acknowledges that Okamoto does not teach feature (a), but asserts that the alleged back surface of Okamoto would inherently include a reflection Y value between 0 and 20 because Okamoto teaches the same blacking treatments (see Office Action, page 3, citing comparative example 2 from Applicants' specification). However, as discussed at page 29, line 2 - page 30, line 29 of Applicants' specification and as shown in Table 1, comparative example 2 includes a black coating layer with a reflection Y value exceeding 20 based on the treatment material for the blacking treatment. In other words, the very example cited by the Office Action (comparative example 2) does not read upon the claimed feature (a) because comparative example 2 includes a black coating layer with a reflection Y value outside of the claimed range of independent claims 1 and 4.

Further, the comparative examples disclosed in Applicants' specification are irrelevant to the disclosure of Okamoto. Okamoto discloses the use of copper pyrophosphate aqueous solution, potassium pyrophosphate aqueous solution, and aqueous ammonia as the blacking treatment materials, and these materials are significantly different from those used in the disclosed examples of Applicants' disclosure (see paragraph [0027] of Okamoto). Therefore, even if comparative example 2 of Applicants' specification included a black coating layer including a reflection Y value between 0 and 20, this example is inapplicable to the process disclosed in Okamoto based on the drastically different treatment materials used during the respective blacking treatments of Okamoto and comparative example 2.

The reflection range recited in independent claims 1 and 4 provides several advantages over the prior art. For example, the electromagnetic shield sheet may intercept electromagnetic waves without absorbing image light emitted by the display and thus without undesirably reducing brightness (see page 5, lines 15-21 of Applicants' specification). Further, the above advantage can be accomplished without increasing manufacturing steps or reducing yield (see page 5, lines 15-21 of Applicants' specification).

The Office Action further asserts that "the Office does not have facilities to test the reflection properties of the individual treatment processes, and applicant has not provided evidence that Prior Art blacking treatments were unable to provide the recited black Y-value" (emphasis added) (see Office Action, page 3). However, Applicants respectfully assert that "[t]he examiner bears the initial burden of factually supporting any *prima facie* conclusion of obviousness. If the examiner does not produce a *prima facie* case, the applicant is under no obligation to submit evidence of nonobviousness" (emphasis added) (see MPEP §2142). Therefore, Applicants need not submit evidence that Okamoto is unable to read on the claimed features of independent claims 1 and 4, because the Office Action has not met its

burden of producing evidence establishing a *prima facie* case of obviousness, i.e., that Okamoto reads on the claimed features of independent claims 1 and 4.

Therefore, Okamoto does not teach "the black coating layer has a reflection Y value greater than 0 and not greater than 20," as recited in independent claim 1 and as similarly recited in independent claim 4.

Okamoto also does not teach "a back surface contiguous with the transparent base sheet of the lines being uncoated with the black coating layer formed by the blacking treatment," as recited in independent claims 1 and 4.

As shown in Drawings 4(b) and (c) of Okamoto, the copper layer pattern 14b contains a black coating layer surrounding both the front and back sides of the copper layer pattern 14b. Therefore, Okamoto does not teach an uncoated back side of the aperture-defining lines, as recited in independent claims 1 and 4.

The invention recited in independent claims 1 and 4 contains additional advantages to that disclosed in Okamoto. The manufacturing process of Okamoto requires coating both sides of the copper layer pattern 14b, and thus the blacking treatment must be carried out twice, (see paragraph [0030] of Okamoto). In contrast, the invention claimed in independent claims 1 and 4 requires less complexity in applying the blacking treatment only once, to only the front side of the lines, thus reducing manufacturing costs for the electromagnetic shielding sheet.

Therefore, Okamoto does not teach "a back surface contiguous with the transparent base sheet of the lines being uncoated with a black coating layer formed by a blacking treatment," as recited in independent claim 1 and as similarly recited in independent claim 4.

Accordingly, for at least these reasons, independent claims 1 and 4 are patentable over Okamoto. Claims 2, 3 and 6, which depend from independent claims 1 and 4, are also patentable for at least their dependency on independent claims 1 and 4, as well as for the

additional features they recite. Applicants thus respectfully request withdrawal of the rejection.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,


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